



CITY OF LODI

COUNCIL COMMUNICATION

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AGENDA TITLE: Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$58,949.28).

MEETING DATE: October 17, 2007 City Council Meeting

PREPARED BY: City Attorney's Office

RECOMMENDED ACTION: That the City Council approve for payment expenses incurred by outside Counsel/Consultants related to the Environmental Abatement Litigation in the total amount of \$52,351.58, and various other cases being handled by Outside Counsel in the amount of \$6,597.70.

BACKGROUND INFORMATION: Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn; Kronick, Moskovitz, Tiedemann & Girard; and Miscellaneous Invoices for services incurred relative to the Environmental Abatement Program litigation and various other matters that are currently outstanding and need to be considered for payment.

Folger Levin & Kahn - Invoices Distribution

Matter No.	Invoice No.	Date	Description	Water Acct. Amount
8002	104346	Aug-07	People v M&P Investments	6,649.92
	15163	Jul-07	PES Environmental, Inc.(Keith Obrien)	26,013.43
	7024	May-07	West Environmental Services	7,367.78
	103591	Jul-07	Hartford Client Charges/Costs	10,110.45
Total				\$50,141.58

Kronick Moskovitz Tiedemann & Girard - Invoices Distribution

Matter No.	Invoice No.	Date	Description	100351.7323	Water Acct.
11233.001	234883	09/25/07	General Advice	26.40	
11233.026	234883	09/25/07	Lodi First v. City of Lodi	4,561.00	
11233.027	234883	09/25/07	Citizens for Open Government v.	262.85	
11233.029	234883	09/25/07	AT&T v. City of Lodi	1,277.45	
11233.030	234883	09/25/07	Water Supply Issues-Not Pce Related		470.00
Total				\$6,127.70	\$470.00

APPROVED:

Blair King, City Manager

MISCELLANEOUS			Water Account
Invoice No.	Date	Description	Amount
1347454-100	9/27/2007	JAMS Mediation Services	550.00
20069594	9/20/2007	Legalink, Inc.	719.50
20069814	9/20/2007	Legalink, Inc.	940.50
			<u>\$2,210.00</u>

FISCAL IMPACT: Expenses in the amount of \$6,127.70 will be paid out of the General Fund and \$4,823.85 billed to Walmart for City's defense of the Lodi First litigation and Citizens for an Open Government. The remaining expenses will be paid out of the Water Fund and the Capital Outlay Fund.

FUNDING AVAILABLE:	Water Fund	\$52,821.58
	General Fund	\$ 6,127.70

Approved: _____
Stephen Schwabauer, City Attorney

Approved: _____
Kirk Evans, Budget Manager